

SELECTMEN'S MEETING MINUTES

4/14/92

Regular meeting of the Waterboro Board of Selectmen.

PRESENT: Chm. Dennis G. Abbott, John C. Monteith, Frank R. Allen, Jr.

NEW BUSINESS:

DIANNE HOLDEN: Dianne came in to discuss with the Board about a letter that she received from The Boston Five Cents Savings Bank concerning Larry Jacobsen's property. Larry owns three properties but the the bank has a mortgage on only two. The bank paid the taxes on all three properties and would like to have a reimbursement of the 1990 taxes. The time frame for liening the property due to non-payment of taxes has expired and the Board voted that the Town cannot reimburse the bank. Dianne will send a letter to that effect to the bank.

JOHN MAGUIRE: John was in to discuss his house in Lake Arrowhead. He has a lawsuit against the builder Maine Custom Homes a.k.a Robert McAuliffe Jr. Due to the defects in his house he has fallen and injured several ribs and he believes that the Town is liable for his medical bills. The estimated bill is \$5,000. He feels that the CEO issued a occupancy permit when the house is not safe. He has been trying for over a year to get his house up to code, he has sued the builder. He believes that the occupancy permit is issued when the building inspector for the Town has inspected and has found the building up to codes, then issues the occupancy permit. At that point it means that the building is safe for occupying. He explained that as a Federal Inspector he inspects buildings and before he puts his stamp of approval he makes sure it is up to codes and is safe for dwelling. He has contacted Karen Lovell to discuss his situation and he feels that the Town has no immunity in this matter. Chm. Abbott inform him that the Board will not change their decision, they agree with the Attorney Karen Lovell. The Town shares no liability in the decision of the CEO. Mr. Maguire is hired to inspect one project at a time and not two or three and he should not compare himself to the CEO. Chm. Abbott told him that out of common curtesy the Board does not go and reinspect buildings after the CEO and Dep. CEO has inspected the building. Dwayne Morin stated that Maine Custom Homes had an appointment to go in his house to fix the defects but when they arrived the property was roped off and Mr. MaGuire would not let them on the porperty. Constable Gerry was also present. Mr. Maguire considers Mr. Gerry just an Animal Control Officer no authority as a Constable. Also told the Board that the plumber was allowed in to fix the defects in the plumbing but the representative from Maine Custom Homes was just a messenger and not the person to fix the problems. Van Foglio and Tim Nelson entered the meeting at this time. Mr. MaGuire hired Up Country Home Inspections to inspect his house and find defects. Mr. Maguire told the Board that if Maine Custom Homes will come into his home without Mr. McAuliffe, he will allow them in to fix the defects. Van will contact Mr. McAuliffe to see if something can be set up to get this matter settled. Van also suggests that Mr. MaGuire give him a list of the defects that he would like fixed. Chm. Abbott stated that if Mr. McAuliffe is willing to go in and fix the problems, okay, but if he is not interested then Mr. MaGuire is on his own!! The Town made an effort to bring this matter to a close. Mr. MaGuire was in agreement but if Mr. McAuliffe is not in agreement he would like it in writing. Chm. Abbott told Mr. MaGuire that could be done but also added in the letter will be how the Town stands in this matter.

FRED FAY: The Board asked Fred in to discuss what projects he has been working on. Fred told the Board that he has been parching the roads. The Board asked how much wood was cut. Fred informed the Board that he used the tractor instead of the chainsaw and they cut about 13-15 cords of wood. Also informed the Board that Ken Booker did not take any wood home. Fred, Ken Roberts, Ken Booker, Scott Ohman and K.C. Ohman on their own time with Fred's truck picked up wood along where CMP cut and took it to Ken Booker's house. CHm. Abbott stated that when Glenn Bean was Road Commissioner, he would submit work plans to the Board on projects for the next week and the Board would approve them. The concern is what is going on that requires two people 3-5 days a week. Fred told the Board that he would start to submit the work plans for the Board to review on Tuesday evenings at their meetings. Also discussed use of the tractor. There is no reason why either Raymond Smith or Millard Genthner could not use the tractor around the dump. Fred informed the Board of some hay that was strewn along the dump road up beyond the dump. He picked up 1½ loads of hay. The Board also discussed with Fred some of his accounts which are running real low. The money that will be received from Foglio In<sup>ll</sup> on the grader that he bought will be applied to the Seasonal Roads account.<sup>ll</sup> The dam should be temporarily fix by the end of the week. Also discussed the deep hole at the end of the boat ramp from the bass boats power loading. Fred tried to fill is in last year and will look at it again this year to see what can be done. The road down by the beach area needs to be paved. Chm. Abbott suggests that Parks & Rec. should put in their budget. Fred told the Board that it will need to be paved<sup>ll</sup>, doesn't feel that seal coating will last. Chuck & Claire Binnette owners of Brunetti's inform the Town that if the Town paves the road they would like to have their parking lot done at the same time and would pay the Town to have it done.

DISCONTINUANCE HEARINGS: The discontinuance of Rte 5 in front of Brunetti's and old Rte 5 between Silas Brown Road and Rte 5 need a public hearing. May 12th has been set to hold the public hearing.

TRAFFIC LIGHTS: The lights are ready to be turned on at any time. The Board agrees to have the time set to turn the lights on at 1:00 p.m. Thurs. There is a 30 second delay from when it is tripped. It will stay green on Rte 202 and will be red on the West Road and Goodwin Mills road and will not turn green until it is tripped. The Board voted to have the lights as follows: 6 am to 11 pm: Green on Rte 202 and red on West and Goodwin Mills Road; 11 pm to 6 am: blinking. Sel. Allen will met with a representative of the Electric Light Company to learn how to set the timer for the lights. The lights will not be changed until the end of school at which time the Board will review to see if they should be adjusted.

NO PARKING ORDINANCE: The Board voted to extend No Parking from 35 feet on West Road, Goodwin Mills Road to 75 feet from the insection. Voted, passed.

CROSSWALK ORDINANCE: The Board voted to add the crosswalks at the intersection of Rte 202, West Road and Goodwin Mills road to the Crosswalk Ordinance.<sup>ll</sup> Voted, passed.

DUMP: Board voted to close the dump on Easter Sunday. Voted, passed.

JANET WHITE: Mother owns property on Ossipee Lake and wants a dump sticker. The mother does not drive but wanted a sticker for her Grandson who lives in Biddeford and his car is registered there. Dwayne Morin informed them that they would have to pay for a \$25.00 laminated sticker and she would like to know why if they pay taxes to Waterboro. The Board voted to reimburse Mrs. White for \$15.00 due to the cost of a laminated sticker has been reduced to \$10.00 from \$25.00. Board also voted that if a laminated sticker was issued 30 days prior to the change in cost there will be a refund of \$15.00 per laminated sticker.

Board voted to contact Taylor Rental for the difference in chairs need for Town Meeting. The Fire Dept. is going to give the Town a count on how many folding chairs they have and the difference will be rented from Taylor Rental.

Board signed the warrant for payment of bills and payroll.

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